



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,552	07/10/2000	F. William Gregory JR.	20438-1	1103

572 7590 03/24/2004

CLIFFORD A. POFF
9800B MCKNIGHT ROAD
SUITE 115
PITTSBURGH, PA 15237

EXAMINER

PORTER, RACHEL L

ART UNIT	PAPER NUMBER
----------	--------------

3626

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/613,552

Applicant(s)

GREGORY, F. WILLIAM

Examiner

Rachel L. Porter

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the application filed 7/10/00. Claims 1-34 are pending. The IDS filed 7/10/00 has been entered and considered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "all" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "all"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claims 2-17 inherit the deficiencies of claim 1 through dependency, and are therefore also rejected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3626

5. Claims 1-3, 5-28, 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosco et al (USPN 5,191,552-referred to hereinafter as Bosco) in view of Tauhert ("Merger of the Century").

[claim 1] Bosco teaches a system for rating, delivery and administration of insurance policies, said system including the combination of:

- a central processor including software essentially having one software application with control and processing programs to form policy processing data bases to handle all policy functions in the management of insurance policies; (Figures 10,12-13; col. 2, line 5-col. 3, line 45; col. 4, line 57-col. 6, line 19; col. 21, line 32-col 22, line 7; col. 29, line 48-col. 31, line 11)
- a user enabled interface coupled to access said one software application using said control and processing programs to form insurance policy data bases, said one software application being operative to building a selected insurance policy from a selected one of said insurance policy data bases; and (Figure 13; col. 6, lines 58-65; col. 19, lines 58-col. 21, line 20; col. 23, lines 4-30)
- a readout for issuing said selected insurance policy and invoicing a policy premium therefor, said readout supplying administrative reports using said insurance policy data bases. (Figure 11; col. 2, lines 5-25; col. 23, line 31-col. 24, line 50; col. 25, line 64-col. 26, line 46; col. 30, lines 32-59)

Bosco discloses a system for rating, delivery and administering insurance policies in general as cited, but does not expressly disclose the system as applied to commercial lines insurance policies. Tauhert discloses an Internet-implemented system for issuing

Art Unit: 3626

and administering commercial lines insurance policies (page. 49-50, paragraphs 5-6— e.g. answering customer questions, quoting and issuing policies.) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Bosco with the teaching of Tauhert to rate, deliver and administer commercial lines insurance policies using the Bosco system. As suggested by Tauhert, one would have been motivated to include this modification to allow agents to have faster turnaround time servicing (commercial) customers and to allow agents and business customers to process insurance information with the least amount of manpower necessary. (Tauhert: page 50, par. 6)

[claim 2] Bosco teaches a system wherein said one software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figure 11, col. 21, line 32-col. 22, line 31; col. 23, lines 14-30)

[claim 3] Bosco teaches a system wherein said one software application includes display fields controlled by said control and processing programs for introducing policy rating, selecting forms, and insurance premium data to insurance policy processing data bases. (Figures 11-12; col. 2, lines 5-col. 3, line 45; col. 6, line 21-col. 19, line 30; col. 21, line 32-col. 22, line 7; col. 23, lines 18-30)

[claim 5] Bosco teaches a system wherein said readout further includes a computer terminal for accessing said one software application. (col. 22, line 57-col. 23, line 17)

Art Unit: 3626

[claim 6] Bosco teaches a system wherein said central processor further includes a claims software application sharing said policy processing data bases of said one software application for processing insurance claims arising out of insurance coverage provided from said one software application. (col. 23, lines 4-30; col. 25, line 64-col. 26, line 9)

[claim 7] Bosco teaches a system wherein said claims software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figure 11, col. 21, line 32-col. 22, line 31; col. 23, lines 4-30; col. 25, line 64-col. 26, line 9)

[claim 8] Bosco teaches a system wherein said central processor further includes a billing software application sharing insurance policy data bases of said one software application for issuing a selected policy and issuing a policy therefor by said readout. (Figure 11; col. 2, lines 5-25; col. 23, line 31-col. 25, line 54)

[claim 9] Bosco teaches a system wherein said readout includes a printer for printing a selected insurance policy and said invoicing a policy premium therefor. (col. 20, line 60-col. 21, line 20; col. 23, line 31-54; col. 24, line 24-col. 25, line 54)

[claim 10] Bosco teaches a system further including an administrative computer terminal connected to said central processor for management of insurance policy data supplied from said one software application. (col. 2, line 5-col. 3, line 45; col. 29, line 48-col. 30, line 6; col. 30, lines 32-60; col. 31, lines 3-11)

[claim 11] Bosco teaches a system wherein said administrative computer terminal includes a central processing unit for controlling said printer in response to a command

Art Unit: 3626

received from said central processor. (col. 2, line 5-col. 3, line 45; col. 29, line 48-col. 30, line 6; col. 30, lines 32-60; col. 31, lines 3-11)

[claim 12] Bosco and Tauhert teach the system according to claim 1 as explained in the rejection of claim 1. Bosco further teaches a system said central processor further includes cash entry software application sharing said policy processing data bases of said one software application for processing cash received and cash returned arising out of insurance coverage provided from said one software application. (Figures 11; col. 26, lines 20-34; col. 27, lines 11-22; col. 28, lines 15-37)

[claim 13] Bosco teaches a system according to claim 12 wherein said cash entry software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figures 11; col. 21, line 32-col. 22, line 31; col. 23, lines 14-30; col. 26, lines 20-34; col. 27, lines 11-22; col. 28, lines 15-37)

[claim 14] Bosco and Tauhert teach the system according to claim 1 as explained in the rejection of claim 1. Bosco further teaches a system wherein said central processor further includes an administrative report software application sharing said policy processing data bases of said one software application for generating reports arising out of insurance coverage provided from said one software application (col. 23, line 31-col. 24, line 31; col. 25, line 64-col. 26, line 10; col. 26, line 31-54). Bosco does not expressly disclose that system reports are generated daily and monthly, but does teach that reports are generated at a pre-established frequency (col. 26, lines 41-46). At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in

Art Unit: 3626

the art to further modify the system of Bosco in view of Tauhart to generate system reports daily and/or monthly. One would have motivated to vary the frequency of reports generation (i.e. to generate reports daily and monthly) so that the information is provided as needed, thereby minimizing additional inquiries regarding case data/status information. (col. 24, lines 17-31)

[claim 15] Bosco further teaches a system wherein said administrative report software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figure 11, col. 21, line 32-col. 22, line 31; col. 23, line 14-col. 24, line 31; col. 25, line 64-col. 26, line 10; col. 26, line 31-54)

[claim 16] See Bosco: col. 20, line 60-col. 21, line 5; col. 22, line 40-col. 23, line 3; col. 23, line 31-44; col. 24, line 44-col. 26, line 54; col. 27, lines 11-21; col. 28, lines 15-37; col. 30, lines 32-59)

[claim 17] Bosco further teaches a system wherein said central processor further includes a claims software application, a billing software application, a cash entry software application and administrative software report application each sharing said policy processing data bases of said one software application. (Figure 11; col. 2, line 5-col. 3, line 45; col. 23, line 31-col. 25, line 54; col. 26, lines 20-34; col. 27, lines 11-22; col. 28, lines 15-37; col. 29, line 48-col. 30, line 6; col. 30, lines 32-60; col. 31, lines 3-11)

[claim 18] Bosco teaches a method for issuing insurance, said method including

the steps of:

- providing a central processor essentially with one software application including control and processing programs to manage policy functions of insurance policies; (Figures 10,12-13; col. 2, line 5-col. 3, line 45; col. 4, line 57-col. 6, line 19; col. 21, line 32-col 22, line 7; col. 29, line 48-col. 31, line 11)
- forming insurance policy data bases by accessing said one software application with a user enabled interface; (Figure 13; col. 6, lines 58-65; col. 19, lines 58-col. 21, line 20; col. 23, lines 4-30)
- using said one software application to build a selected insurance policy from a selected one of said insurance policy data bases; (Figure 13; col. 6, lines 58-65; col. 19, lines 58-col. 21, line 20; col. 23, lines 4-30)
- issuing the selected insurance policy and invoicing a policy premium therefor; and (Figure 11; col. 2 , lines 5-25; col. 23, line 31-col. 24, line 50)
- supplying administrative reports using said insurance policy data bases. (Figure 11; col. 2, lines 5-25; col. 23, line 31-col. 24, line 50; col. 25, line 64-col. 26, line 46; col. 30, lines 32-59)

Bosco discloses a method for issuing insurance policies in general as cited, but does not expressly disclose the system as applied to commercial lines insurance policies.

Tauhert discloses an Internet-enabled method for issuing and administering commercial lines insurance policies (page. 49-50, paragraphs 5-6—e.g. answering customer questions, quoting and issuing policies.) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of

Art Unit: 3626

Bosco with the teaching of Tauhert to electronically issue commercial lines insurance policies using the Bosco method. As suggested by Tauhert, one would have been motivated to include this modification to allow agents to have faster turnaround time servicing (commercial) customers and to allow agents and business customers to process insurance information with the least amount of manpower necessary.

(Tauhert: page 50, par. 6)

[claim 19] Bosco further discloses a method according to claim 18 including the further step of processing insurance claims by using a claims software application sharing said policy processing data bases for processing claims against insurance coverage provided from said one software application. (col. 23, lines 4-30; col. 25, line 64-col. 26, line 9)

[claim 20] Bosco further discloses a method wherein said claims software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figure 11, col. 21, line 32-col. 22, line 31; col. 23, lines 4-30; col. 25, line 64-col. 26, line 9)

[claim 21] Bosco and Tauhert teach the method according to claim 18 as explained in the rejection of claim 18. Bosco further teaches a method including the further step of using an administrative report software application sharing said policy processing databases to generate reports of insurance coverage provided from said one software application. (col. 23, line 31-col. 24, line 31; col. 25, line 64-col. 26, line 10; col. 26, line 31-54). Bosco does not expressly disclose that system reports are generated daily and monthly, but does teach that reports are generated at a pre-established frequency (col.

Art Unit: 3626

26, lines 41-46). At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to further modify the method of Bosco in view of Tauhert to generate system reports daily and/or monthly. One would have motivated to vary the frequency of reports generation (i.e. to generate reports daily and monthly) so that the information is provided as needed, thereby minimizing additional inquiries regarding case data/status information. (col. 24, lines 17-31)

[claim 22] Bosco teaches a method wherein said administrative report software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figure 11, col. 21, line 32-col. 22, line 31; col. 23, line 14-col. 24, line 31; col. 25, line 64-col. 26, line 10; col. 26, line 31-54)

[claims 23-24] Bosco teaches a method including the further step of using a cash entry software application sharing said policy processing data bases for processing cash transactions arising out of insurance coverage provided from said one software application and wherein said cash entry software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figures 11; col. 21, line 32-col. 22, line 31; col. 23, lines 14-30; col. 26, lines 20-34; col. 27, lines 11-22; col. 28, lines 15-37)

[claims 25-26] Bosco teaches a method including the further step of using a billing software application sharing said policy processing data bases for said step of issuing the selected insurance policy and invoicing the policy premium and wherein said billing software application is an application of the computational and data processing types

Art Unit: 3626

using both arithmetic computations and data handling operations. (Figure 11; col. 2, lines 5-25; col. 23, line 31-col. 25, line 54)

[claim 27] Bosco teaches a method wherein said one software application is an application of the computational and data processing types using both arithmetic computations and data handling operations. (Figure 11, col. 21, line 32-col. 22, line 31; col. 23, lines 14-30)

[claim 28] Bosco and Tauhert teach the method of claim 18 as explained in the rejection of claim 18. Bosco further teaches a method wherein said one software application forms display fields controlled by said control and processing programs for introducing policy rating, selecting forms, and insurance premium data to insurance policy processing data bases. (Figures 11-12; col. 2, lines 5-col. 3, line 45; col. 6, line 21-col. 19, line 30; col. 21, line 32-col. 22, line 7; col. 23, lines 18-30)

[claim 30] Bosco further discloses a method wherein the step of issuing the selected insurance policy includes using a computer terminal for accessing said one software application. (col. 22, line 40-col. 23, line 16; col. 23, line 31- col. 24, line 8; col. 29, line 48-col. 31, line 11)

[claim 31] Bosco further discloses a method wherein said step of issuing the selected insurance policy includes using a printer connected to said computer terminal for printing said selected insurance policy and said invoicing a policy premium. (Figure 11; col. 2, lines 5-25; col. 23, line 31-col. 24, line 50; col. 25, line 64-col. 26, line 46; col. 30, lines 32-59)

Art Unit: 3626

[claim 32] Bosco teaches a method including the further step of using an administrative computer terminal to supply said administrative reports for management of insurance policy data supplied from said one software application.

(Figure 11; col. 2, line 5-col. 3, line 45; col. 23, line 31-col. 24, line 50; col. 25, line 64-col. 26, line 46; col. 29, line 48-col. 31, line 11)

[claim 33] See Bosco: col. 20, line 60-col. 21, line 5; col. 22, line 40-col. 23, line 3; col. 23, line 31-44; col. 24, line 44-col. 26, line 54; col. 27, lines 11-21; col. 28, lines 15-37; col. 30, lines 32-59)

[claim 34] Bosco teaches a method wherein said central processor further includes a claims software application, a billing software application, a cash entry software application and administrative software report application each sharing said policy processing data bases of said one software application. (Figure 11; col. 2, line 5-col. 3, line 45; col. 23, line 31-col. 25, line 54; col. 26, lines 20-34; col. 27, lines 11-22; col. 28, lines 15-37; col. 29, line 48-col. 30, line 6; col. 30, lines 32-60; col. 31, lines 3-11)

6. Claims 4 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bosco and Tauhert as applied to claims 1 and 29 above, and further in view of Official Notice.

[claim 4] Bosco discloses a system for rating, delivery and administering insurance policies in general as explained in the rejection of claim 4, but does not expressly disclose the system as applied to commercial lines insurance policies. Bosco further does not disclose that the system operates over the Internet, but does teach the system operates over a secure network. (col. 23, lines 4-30) Tauhert discloses an Internet-

Art Unit: 3626

implemented system (e.g. real-time) for issuing and administering commercial lines insurance policies (page. 49-50, paragraphs 5-6—e.g. answering customer questions, quoting and issuing policies.) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Bosco with the teaching of Tauhert to administer commercial lines insurance policies over the Internet. As suggested by Tauhert, one would have been motivated to include this modification to allow agents to have faster turnaround time servicing (commercial) customers and to allow agents and business customers to process insurance information with the least amount of manpower necessary. (Tauhert: page 50, par. 6)

Bosco and Tauhert do not expressly disclose the use of a firewall to secure the system. However, Bosco does disclose the use of security codes (i.e. access codes) to limit access to authorized system users. (col. 23, lines 4-30) It is noted that the use of firewalls as a security feature to protect an organization's network from unauthorized use is old and well known in the art. At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to further modify the system of Bosco and Tauhert in combination to include an Internet firewall for accessing the software application. As suggested by Bosco, one would have been motivated to include this feature to provide a system that operates efficiently while also implementing security measures that restrict the access of certain system users to particular data. (col. 2, lines 39-44)

[claim 29] The limitations of claim 29 are addressed by the rejections of claims 4 and 18, and incorporated herein.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kannan et al (WO 99/01826 A2) teach a method and system which provide customer service between a customer and a customer service representative in real-time over the World Wide Web.
- Peterson et al (USPN 5,903,873) teach a system for registering insurance transactions and communicating the insurance transactions to a home office computer.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel L. Porter whose telephone number is 703-305-0108. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (703)305-9588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RP
RP


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600